

FOR ARGUMENT

IN THE SUPREME COURT OF THE UNITED STATES

Supreme Court, U. S.

L E D

October Term, 1976

FEB 14 1977

No. 76-447

MICHAEL ROOAK, JR., CLERK

**WILLIAM G. MILLIKEN, et al.,
Petitioners,**

v.

**RONALD G. BRADLEY, et al.,
Respondents.**

**APPENDIX OF RESPONDENT
BOARD OF EDUCATION FOR THE
SCHOOL DISTRICT OF THE CITY OF DETROIT**

**On Writ Of Certiorari To The United States
Court Of Appeals For The Sixth Circuit**

Petition For Certiorari Filed

September 28, 1976

Certiorari Granted November 15, 1976

RILEY AND ROUMELL

GEORGE T. ROUMELL, JR.

JANE K. SOURIS

THOMAS M. J. HATHAWAY

JOHN F. BRADY

SAMUEL E. McCARGO

ROBERT J. COLOMBO, JR.

**Attorneys for Respondent Board
of Education for the School
District of the City of Detroit**

**Business Address:
720 Ford Building
Detroit, Michigan 48226**

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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**RONALD BRADLEY, et al.,
Plaintiffs,**

v

**WILLIAM G. MILLIKEN, Governor
of the State of Michigan, et al.,
Defendants.**

No. 35257

**EXCERPTS FROM TRANSCRIPT OF
PROCEEDINGS—VIOLATIONS HEARINGS**

**TUESDAY, APRIL 6, 1971
(Proceedings)**

ROY L. STEPHENS, having been duly sworn

* * *

(Direct Examination by Mr. Lucas)

[Proc., 53] Q. (By Mr. Lucas) As a Board member were you furnished with achievement data as to the achievement in particular schools and in particular regions?

A. We received the information on achievement data for all schools, all students.

Q. Was the information broken down or given to you along with the race of the pupil, population in the school?

[54] A. Yes, it was. It was broken down school by school and it was clearly indicated from the racial count what the makeup of the school was racially, so, therefore, you can measure achievement of schools that are more than 90 percent black as against the national norm or as against the Detroit city average for Iowa Skills Test or others.

Q. Are you familiar with what was called the center district?

A. Yes.

Q. Can you tell me what the actual composition of the student body of the schools were in the center district?

MR. BUSHNELL: When, in point of time?

MR. LUCAS: '61-'62 count.

A. 95 percent or more black.

* * *

Q. Can you tell us approximately the area, if you recall some of the schools that were in that area?

A. The center district is high schools and junior highs and elementary schools in the center of the city and would include —

[55] Q. At that time.

A. At that time, the feeder schools for Northern, for probably Northwestern and the elementary schools that feed those schools.

Q. Did you examine any data which indicated the level of achievement of the schools in the center region as opposed to other regions which may have had predominantly white enrollment?

A. Yes.

Q. Was there a difference?

A. Yes.

Q. Could you tell us what that difference was?

A. The average achievement in the center district would be probably one and a half to two grades below their normal grade level. If they were eighth graders they would achieve at about sixth grade or less average.

Q. Did the Board —

THE COURT: As against what?

A. As against eighth graders. If they were eighth graders and the national norm was 8.0 —

* * *

[56] MR. LUCAS: How did this compare with the level of achievement in other Detroit schools in predominantly white areas?

A. They achieve at about the national norm, about 8.0.

Q. That would be the schools in the predominantly white areas?

A. Yes.

Q. The differential between the center region and the predominantly white areas was the same as the differential between the center region and the national norm, is that your testimony?

A. Right, about two or three grade levels.

* * *

[58] Q. Do you know whether or not any study was made by you or other members of the Board as to the significance of faculty expectation or attitude with respect to students from these areas that you described?

A. I think in many cases the faculty expectations were that the children couldn't perform. . . . Studies that would reveal this would be the studies that were made by the Equal Opportunities Committee and their hearings and discussions with teachers. In their discussions they concluded that in many cases teachers did not have the belief that the students that [sic] were trying to teach could perform, that is what they reported to us. They didn't have the expectations for the students that would be necessary if you were expecting the student to perform at his best.

WEDNESDAY, APRIL 28, 1971

(Book 9)

DR. ROBERT GREEN, having been duly sworn

* * *

(Cross Examination by Mr. Bushnell)

[Book 9, 988] Q. Let's assume that teachers do come from a range of income backgrounds. Nevertheless, the literature seems to indicate that this attitude of low expectancy of performance on the part of poverty kids is a general attitude of teachers, is that not right?

A. I would not want to say that it is a general attitude on the part of teachers toward poverty children. I would say that in schools that are uni-racial and poor, there is a strong probability that teachers who are assigned to those schools — you know, you talked about the community effect which I said sure, do relate, school communities that have high instances of individuals who are on welfare, as you pointed out, but who are most significantly uni-racial, teachers who are assigned to those schools particularly, they don't perceive that those children will learn as readily as children in Oak Park or children in Livonia, or children in Grosse Pointe.

Q. From higher income backgrounds?

[989] A. Yes, or from predominantly white neighborhoods in Detroit that are middle income, for example. Some teachers even or may hold the same attitudes about poor white youngsters. But, when the variable of blackness is introduced, it seems to become maximized. It becomes maximized, I should say.

* * *

[992] Q. We are talking about an attitude that you testified to yesterday that is supported by the literature.

A. Yes.

Q. That teachers are bound to have that operates negatively against low income kids and operates particularly negative, you tell us, against unilateral low income kids. Now, that attitude or that bundle of attitudes that these teachers have is probably the result of several different things, is it not?

A. It could be, yes.

Q. One of the factors featuring in this attitude is the training that these men and women get in their teacher education courses, is it not?

A. I would say part of the attitude that they bring to that setting as teachers emanates from several sources, one of which would be the failure of the teacher educational institutions to do their job, as I am aware of it.

* * *

[993] Q. The school district that is concerned with this and the school district that recognizes the public studies and the advice of those experienced in the fields should be making every effort to change that attitude, should it not?

A. Yes.

Q. Would you agree with me as a non-educator, — would you, as an educator, agree with me as a non-educator, that if you can find a teacher whose emphasis is on tender loving care and providing success experiences for the kids in her classroom that she is going to have a whale of a lot better results with that child and the child is going to perform at a higher level than would a teacher who comes in thinking because you are poor you can't make it?

A. Yes.

* * *

[1006] Q. The thrust of your testimony yesterday was that these black squares which are predominantly black schools fall below the city-wide mean.

A. Yes.

* * *

[1007] A. Well, the chart shows that schools which are 90 percent black or more are all falling in terms of achievement in the area of the Iowa Test of Basic Skills below the city-wide mean. None exceed the national mean. The schools that are predominantly white, the majority of the schools are above the city-wide mean, and several, one, two, three, four, five surpass the national mean. So, there is quite a discrepancy in predominantly white and black schools in terms of academic achievement.

* * *

(Cross Examination by Mr. Sachs)

[1032] Q. Now, Dr. Green, I'm not sure I followed your line of answers to a line of questioning by Mr. Bushnell. Is it your testimony that black teachers generally bring to bear substantially the same negative attitude as to white with respect to the teaching of students?

A. I said I can find at times a range of attitudes among black teachers that relate to youngsters who are poor in terms of their felt ability to learn, especially when the school is uni-racial. When the school is uni-racial you would find black teachers as well as white teachers who may perceive that the youngsters are not as capable of learning as readily as youngsters — well, we'll take for example as youngsters in uni-racial white schools. The factor looms significantly when you use social class alone. But, when you introduce the [1033] additional variable of race and then color it black, then it becomes even more significant.

* * *

Q. In other words, there is a general common attitude as between the white and black teachers in that situation?

A. Yes, unfortunately. It would be good to say that all black teachers believe all black children who are poor in uni-racial schools can learn. But, that is not the case. This is not to say that white teachers are more virtuous in that regard; they are not.

Q. Have you done any specific investigation of teachers in the Detroit School System with respect to their attitudes?

A. No. But I did a very detailed study of the attitudes that youngsters felt that teachers had about them who were black. But, I did not survey specifically the attitudes that teachers held toward those same youngsters.

* * *

[1034] Q. Does it follow, Dr. Green, that the assignment of black teachers with the negative attitudes of which you speak would not particularly ameliorate an inadequate teaching environment then?

A. The assignment of any teacher, black or white, who holds negative attitudes towards youngsters who are poor, members of a minority group, be they poor, black or white, or poor Chicano or poor you-name-it, is not going to ameliorate that particular set of circumstances that the youngsters might be confronted with from a non-achievement standpoint.

* * *

FRIDAY, JUNE 18, 1971

(Book 33)

ERNEST MARSHALL, having been duly sworn

* * *

(Direct Examination by Mr. Bushnell)

[Book 33, 3603] A. Yes. If I may go back a bit, I came into the counseling [3604] department at the request of the community. The community recognized that in the effort to educate young people education is futile unless they can make the next step in their development, namely the employment or college whatever the next step may be. It was upon this petition to the Board that I came into the Department of Guidance and Counseling.

Q. Mr. Marshall, let's go back to 1939 and talk about your activities in the job of placement and guidance counseling. At that time, sir, was there any effort being made by the Detroit School System or by anyone to place Negro youths in job opportunities?

A. Some effort, but not special effort. The department was not [3605] integrated at that time. We had no Negro counselors in the Detroit School System. Naturally there wasn't anyone concentrating in this area on the particular problem, and in carrying out the Board of Education's policy of equality of opportunity in education, that naturally meant projecting this into the life of the community.

Q. Would you tell us, sir, just as it occurs to you about your activities in that area from 1939 on? What did you do? What businesses were you involved with? Whom did you place, if you remember any individuals? How many kids did you place? Just describe the whole —

A. Well, one of the first things we did was to establish a procedure in the office whereby both Negro youngsters as well as white would be handled by people who were classified as counselors. They indeed would classify these young people and treat them as other young people. We also established that at

that time there were no fair employment laws or anything of that nature. We used what we call moral persuasion to convince employers that young people couldn't benefit from an educational system unless they got a chance to work, which meant going out into industry, trying to develop job opportunities. One of the first things we did was to see who were the primary users of our product, of the kids who were leaving school. One of the prime users of the product was the public utilities. So, one [3606] of the first firms that I approached in regard to integrating their labor force, which at that time the only Negroes they had were those in service categories —

* * *

[3610] Q. This work continued up until World War II, the point you had gotten to in your narrative when I interrupted you. Has that work continued to this day?

A. No. This was discontinued following the Citizens' Advisory Study Committee. At the time we had a different superintendent than we now have under Dr. Brownell, in which we were facing certain financial situations in the schools that required reduction, and it was thought at that time by the Superintendent over the protests of the community that this service could be taken up by the Michigan Employment Security Commission, which commission could receive special sums from the United States Department of Labor to establish the Youth Opportunity Center in the cities, and at that time the Young Opportunity Centers were started.

* * *

[3612] Q. After about roughly 20 years of operation under the school system this program was transferred to the Michigan Employment Security Commission?

A. Correct.

Q. As you have participated and reviewed these programs, Mr. Marshall, how does the administration of this program by MESC compare to the administration by the district which is to say has it become more successful or less successful or maintained at the same level or what?

A. By admission of the MESC as well as documented by the Department of Labor studies, the situation has become worse. Indeed, we are saying now that black youths experience twice the unemployment as the white youth in the inner city of our cities. It is approximately 30 per cent and with youth in — black youth in the inner city it is approximately three times the [3613] unemployment rate of white youth so that we are saying the progress has been very minimal.

Q. Do you perceive this as a problem of the Detroit School System or something that the Detroit School System should respond to?

A. It is most certainly a problem of the total community and particularly the school system because the purpose of education is to train a person for life and to make their next step, therefore, it is a problem we cannot deny and therefore we have the prime responsibility — what I mean by "we", that is the school district has the prime responsibility for educating those youngsters that by law are assigned to it. Therefore, it has the responsibility to help them make the next step and progress in it whether it be college, jobs or whatever.

* * *

WEDNESDAY, JUNE 23, 1971
(Book 35)

DR. STUART C. RANKIN, having been duly sworn

* * *

(Direct Examination by Mr. Bushnell)

[Book 35, 3805] Q. You indicated that there is a variable or variant the school does have some control over, is that what you are saying?

A. Yes. The point is that we in education — you know my whole life is devoted to that; the question as to what can we do with those variables where we do have some control. And we don't have some control of certain variables. So we have to work where we do. Now, if I were to consider the content or the

textbook or the organization of the class or the size of the class or the age of the teacher or a number of other variables along with the behavior of the teacher, in my judgment the behavior of the teacher in the classroom is by far the most potent of those variables. And some of the others may not be important at all. But if I were to try — if my assignment were to try to improve the educational program I would rather put my money on improving the performance of those trying to deliver the service than to changing the textbook or changing the class size, changing the shape of the room or changing the organization schedule.

[3806] Q. I want to come back to that down the pike a bit. But as to those variables over which you as school administrators do have control, it's your testimony that the teacher attitudinal pattern is a significant variable?

A. Well, let me — yes. But let me just say that child does not confront the teacher's attitudes. The child confronts the teacher's behavior. That behavior may be dependent upon the attitude, and I'm indeed interested in that attitude. But it is behavior that the child confronts. So, if you are talking about teacher attitude and behavior, yes.

Q. And it is behavior that you are talking about that can be changed?

[3807] A. Yes.

* * *

[3814] Q. What have we been doing to change teacher behavior patterns?

A. Some, not enough. We have been using some strategies in a few schools like the kind — well, we have done some work where we work on attitude alone. With some of our in-service education programs we have been trying to have our teachers, especially [3815] where you have middle class teachers working with lower class students, often there is the charge that we don't understand that culture and sometimes those charges are partly true and so it is possible to help that teacher understand those things.

Q. Again let me ask you is there a racial component in this statement of your middle class teachers working with lower class kids?

A. There wasn't when I said it. Now that you have asked I think that white people do not look at black people without noticing their blackness and I am reasonably sure black people don't look at white people without noticing their whiteness, and I would not want to sweep race under the table. I believe it is possible for a teacher brought up in a white society to have attitudes about black children that are more likely to group those black children along with poor, you know, in other words, it may be that there are teachers who don't expect the youngster to learn and make that adjustment that they don't expect him to learn partly on the basis of his color. I am not for that.

* * *

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RONALD BRADLEY, et al.,
Plaintiffs,

v

**WILLIAM G. MILLIKEN, Governor
of the State of Michigan, et al.,**
Defendants.

No. 35257

**EXCERPTS FROM
DEPOSITIONS—VIOLATIONS HEARINGS**

MONDAY, NOVEMBER 23, 1970

(Deposition)

ARTHUR L. JOHNSON, having been duly sworn,

* * *

(Cross Examination By Mr. Caldwell)

[71] (By Mr. Caldwell) Q. On page two, paragraph number five, it says "Year around program of prevention and reclamation of dropouts." Has your experience been in the system that you have a larger percentage of black dropouts than white dropouts?

A. That is true. I cannot say that has been consistently the case, but the system is now a majority black system. So that factor alone, in part, determines that the —

[72] Q. You will have more numbers, at least?

A. Yes. But at the same time, I am sure that, from the standpoint of the socioeconomic problems and psychological problems that are related to the behavior of a student who drops out of school, these are concentrated more in the condition of black students than they are the average white students.

MONDAY, JUNE 28, 1971

(Deposition)

DR. NORMAN DRACHLER, having been duly sworn

* * *

(Direct Examination By Mr. Bushnell)

[113] Q. One other question along this line and that speaks to tracking. What is tracking and do we track in the Detroit Public School System?

A. Tracking is usually referred to as having within a school system [114] a program that very early in the senior high school or late in the junior high school predetermines what academic program a youngster will take and what his life career in a sense shall be as a result of this deliberate tracking system. We have had at the time of the Citizens Committee in 1957-58, and at the time of the 1961-62 charges that in our high school we do track youngsters, that is, we say to a given youngster in the eighth grade when he has to enter junior high school:

"You ought to be in a non-college bound program." And we tell another youngster or advise him that he ought to be in a college-bound program. At one time we even said to certain youngsters, "You can not take algebra in the ninth grade, you must take general math because you have not demonstrated thus far college caliber."

* * *

[115] * * * If officially tracking is unacceptable and verboten in the Detroit School System I can not say there may not be those teachers or those counselors who may, based on their best judgment, encourage youngsters into certain programs and that if that is based on their best educational judgment then it is good counseling. Although I [116] have taken officially the position that it is not our task as educators to counsel a youngster into a program or out of a program, our obligation is to counsel. We can lay before the student the best facts that we know, the decision should be made by the student himself. * * *

I believe our counseling hasn't been as effective as it ought to be and I am not blaming counselors for it, the conditions, and

numbers and so on also influence that, so that we have a situation where although tracking officially [117] does not exist there are — excuse me — there isn't enough flexibility in our program in my opinion, there is not enough flexibility to, in order to avoid the kind of open doors which eventually lead students into programs that they end up not being tracked but being trapped in not having a desirable program.

* * *

[141] A. I referred to that earlier. As we look back in 1966, and as I look at our most recent data today, the fact book that you have seen for each individual school, there are three or four constant factors that relate to quality education and one of them is absenteeism on the part of youngsters.

Q. Let me interrupt. What are the causes of absenteeism? Is it simple truancy or what?

A. We make about 200,000 home calls a year in Detroit, our [142] Attendance Department does. To the best of our knowledge over 40 per cent of it deals with poverty of some sort or another. It's not just plain truancy. A youngster is ill, they do not have a doctor, they can't get glasses, they don't have shoes, the mother is working and the younger brother is ill and somebody had to stay with him while she was at work. They even have personal problems in terms of health which affect the children.

If one were to place or rank the schools of Detroit from the lowest in achievement to the highest there is no question that children in the lower achieving schools would have a greater deal of absenteeism and the opposite would be the other end.

* * *

(Cross Examination By Mr. Lucas)

[159] Q. Since you have expressed fairly firmly opposition to tracking and since there seems to be difference of opinion about it from the High School Study Commission report and others, would you indorse or have any opposition, as an administrator, to a requirement in a court order that there be no tracking, and I

say to you the court in San Francisco put that in as a requirement without dealing in any great detail of the issue. As an order would you support such a thing?

A. I certainly would support it. It is not an educationally sound procedure.

[160] Q. That is really what I wanted an answer to, the other gets into a lawyer's argument.

A. Whether the court should do it or not I don't want it because it is not educationally sound.

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RONALD BRADLEY, et al.,
Plaintiffs,

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**WILLIAM G. MILLIKEN, Governor
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Defendants.

No. 35257

**DESIGNATED EXHIBITS — VIOLATIONS HEARINGS
DEFENDANTS EXHIBIT MMMM**

APPROVED BY THE DETROIT BOARD OF EDUCATION
December 18, 1962

SUBJECT: The Treatment of Minorities
FROM: Superintendent S. M. Brownell
TO: Members of the Board of Education
DATE: December 18, 1962

To the Board of Education:

* * *

Criticisms have come to this Board to the effect that some textbooks in use today do not present a balanced and satisfactory picture of all groups in American life. This condition prevents all children from acquiring an adequate understanding of America's growth and development. Progress has been noted in this regard in recent years, but the progress is small and much yet remains to be done. Investigation by staff members of the Board of Education tends to support the need for textbooks and other instructional materials that portray American life in a more adequate manner.

* * *

**PLAINTIFFS' DEPOSITION OF
ARTHUR LEE JOHNSON**

**NOVEMBER 23, 1970
EXCERPTS OF EXHIBIT #5**

**REPORT OF PROGRESS
CITIZENS ADVISORY COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITIES**

Detroit Public Schools

September 28, 1965

CURRICULUM AND GUIDANCE

* * *

32. EVERY SCHOOL SHOULD ESTABLISH AN IN-SERVICE EDUCATION PROGRAM WHICH FOCUSES ON UNDERSTANDING THE COMMUNITY AND LEARNING HOW TO IMPROVE THE SCHOOL EXPERIENCES OF CHILDREN WITH DIFFERENT CULTURAL BACKGROUNDS.

In each school, a human relations building chairman is selected at the beginning of the school year. These chairmen attend regional and city-wide meetings where the need for understanding the community and for improving the learning experiences of culturally different children is emphasized. Each building chairman is expected to plan, with the cooperation of the administration and the total staff, activities within the school which will contribute to this kind of understanding. Reports from schools indicate a variety of such activities, some more meaningful than others.

* * *

**PLAINTIFFS' DEPOSITION
OF ARTHUR LEE JOHNSON**

**NOVEMBER 23, 1970
EXCERPTS OF EXHIBIT #6**

**REPORT OF RECOMMENDATIONS OF
TASK FORCE ON QUALITY INTEGRATED
EDUCATION IN DETROIT SCHOOLS**

September 13, 1967

**Detroit Public Schools
Detroit, Michigan**

* * *

[11] C. *Special Staff on Achievement Programs*

In Detroit Schools there is a serious problem of a lack of commitment among many administrators and teachers to the ideal that all children can learn and achieve. This is a deficit which critically affects the learning experiences, possibilities, and achievements of minority-group children in particular. Policies, procedures, and evaluation techniques designed to control and to minimize the effects of this deficit of commitment are clearly inadequate, and the need for effective corrective measures is urgent.

* * *

[15] B. *Proposal to Establish Neighborhood Education Centers in Disadvantaged Areas of the City.*

* * *

One segment of our population, however, has — for various reasons — been unable to perceive a high-school diploma as being the key which unlocks the door to the "good", productive, socially acceptable life. The high-school "drop-out" or "push-out" remains as an ever-present reminder of the fact that equality of educational opportunity is still a dream and not a reality for many students. These are youngsters for whom the schools have *not* met their educational needs.

There seems to be little doubt that the inner-city Negro student is more often the school drop-out than is his more

privileged counterpart in the predominantly white fringe areas of the city. An examination of the [16] October 1966 racial count of the Detroit Public Schools reveals that the proportion of Negro students is significantly lower in the senior-high grades than in the elementary schools of the city: approximately 62 per cent of the students in the third grade were Negro compared to 43 per cent in grade 12. While there may be factors other than the drop-out rate which influence these statistics, nevertheless there is supporting evidence in the school-by-school withdrawal reports to indicate that inner-city youth, most of whom are Negro, fall more frequently than others in to the "drop-out syndrome" which seems to be a part of their school and community life.

This proposal is for a new and creative approach to the problem of school drop-outs in the inner city. It is based on two assumptions:

(1) That *some* inner-city students drop out of school because the organizational structure of the school is not educationally functional for them. They become lost in the masses of students, unable to cope with the formalized routines, the "bureaucracy" of the school institution. Their individual needs are not being met to a great extent because they have been unable to project these needs onto the consciousness of their teachers and administrators. Back-to-school campaigns for such students are unsuccessful because the school they return to is not significantly different from the school they left.

(2) That, in some neighborhoods, students tend to remain in school because it is the usual and accepted pattern of life in that neighborhood, while in others, the drop-out is visible, acceptable, and not unusual. Indeed, the drop-out [17] may be providing a positive role-model for younger children to emulate. In such neighborhoods, the social climate of the *neighborhood*, which is acceptive of the drop-out, may mitigate against the value which individual parents place on completing school.

* * *

[24] D. *The Ghetto Junior High School in the Inner City*

Junior high school students in the Negro inner city have all the educational and psychological needs of inner city children at any school level, and in addition they must try to cope with the special emotional demands of early adolescence. Many are combustible in one way or another, and their educational and social performance reflects it. Fourteen and fifteen year old psychological drop-outs may be sitting in the classrooms, or they may become actual physical drop-outs manifested by truancy.

The effects of early school failing pile up to a negative and even antagonistic attitude toward the institution called "school" and to the adults who perpetuate the school experience. Expressions of frustration become more violent or disassociation becomes more severe.

Changing the attitudes and the quality of school performance of the young people of this age, the "now or never" chance for many, is the job which the junior high school approaches with many handicaps. For the promotion of the educationally retarded and the "late bloomers," the following should increase [25] the possibilities of success:

* * *

Teacher Education

Concentrate in-service education efforts on developing positive teacher attitudes and on improving the students' self-images.

Note: Inasmuch as these are two critical components of successful teaching, we need to apply ourselves to both with extreme effort.

* * *

[26] A chance for every child to succeed in some way, and thereby enhance his self-image, could come from teacher education and planning not only in the traditional instructional areas but also in opportunities provided for creative thinking, independent study to stretch maturity, exploration

of job opportunities in whole city community, and experiences in self-determination.

* * *

[31] D. *Student Grouping*

* * *

However, the Task Force questions those kinds of ability grouping at all levels which are based on an assumption of general mental ability, and which lead to relatively permanent grouping of students on a presumption of high or low general ability.

Education for children must consist in the continuing search for all kinds of ability to learn, and an expectation that each child will perform to the maximum of his ability.

Placement of a student in a class or in a track or sequence of courses with other students who are presumed to have low ability results in low expectations for both individual and the class. It results in low morale for the teacher and a stultifying atmosphere for learning.

The Task Force also questions the educational validity of grouping-approaches like the Science and Arts program which are based on an assumption of high general ability. These programs have the practical consequences of draining off from some schools and programs many of the students with special abilities who could serve as models for motivation of other students within those schools.

* * *

[34] F. *Changes in Testing Procedures*

The total Detroit public school enrollment as of October 1966 was 297,035. Of the total, 168,299 were Negro. These Negro children were and are concentrated in schools commonly designated by euphemisms such as "inner-city schools," "culturally disadvantaged schools," or "the

One-Seventy-Eight." The academic achievement of this group of children, on the average, ranges from one and one-half to three years below the levels of their white counterparts attending schools located on the periphery of the city.

The California Test of Mental Ability tests used from grade 1 through 7 in the Detroit Public Schools measures verbal meaning, perceptual speed, number facility, and spatial relations. Because children of the lower socio-economic backgrounds are children suffering from what Martin Deutsch calls cumulative deficit, they have greater difficulty than other children with these mental abilities tests as well as with achievement tests. The mode of communication used in the school setting is more than likely to create frustration if not panic.

* * *

Some of the several possible negative effects are indicated as follows:

1. There is damage to ego development and healthy self-concept.
2. Children "locked in" with slow learners often present discipline problems.
3. As children move through the grades, this cumulative effect may be intensified.
4. At the junior-high level, there is often grouping or assignment to homerooms based on "ability" as indicated by test scores. We have already questioned this procedure.
- [35] 5. Defeatism sets in and motivation is stymied.
6. Schools involved in Project II often pair youngsters as pen pals based on the results of mental abilities testing. Again, we question this basis of pairing.
7. If and when transportation is used to relieve overcrowding, school records will be sent to receiving schools; premature judgments may be formed which would affect curriculum offerings.

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